

REMARKS

We have amended independent claims 1, 11, 16, 20 and 25 to recite that block allocation for the data is performed by the server. These amendments are supported by the specification at page 11, lines 24-25 and Fig. 6. We have cancelled claims 11-15 and 28-32 without prejudice. Applicant will be considering pursuing these cancelled claims in a continuation application.

Prior Art Rejections

Solits U.S. 6,493,804

The Examiner rejected claims 1-3, 6-9 and 16-27 as anticipated by Solits (U.S. 6,493,804). We submit that Solits neither describes nor suggests block allocation for the data being performed by the server, as is now recited in independent claims 1, 16, 20, and 25. Rather, Solits describes a "serverless" Global File System (see last sentence of the Abstract) in which clients, rather than servers, maintain and manage the storage devices where data is read or written. The clients use data storage device locks to maintain data consistency. Because Solits is directed to stateless server applications, nowhere does he teach using a server to provide block allocation as is required by applicant's claims. For this reason alone, we submit that independent claims 1, 16, 20, and 25 are patentably distinct from Solits.

We further submit that because claims 2-3 and 6-9 depend from independent claim 1; claims 17-19 depend from independent claim 16; claims 21-24 depend from independent claim 2; and claims 26-27 depend from independent claim 25, these dependent claims are allowable over Solits for at least the same reason that independent claims 1, 16, 20, and 25 are allowable.

Vahalia U.S. 6,389,420

The Examiner also rejected claims 28-32 as anticipated by Vahalia (U.S. 6,389,420). Although the Examiner never explicitly states, it appears from the last paragraph on page 6 of his office action that the Examiner intended on rejecting claims 11-15 as anticipated by Vahalia as well. As stated above, applicant has canceled these claims. The rejection therefore is moot.

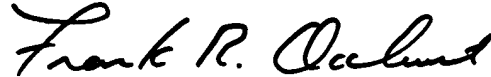
Applicant : Stephen A. Rago
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Page : 7 of 7

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Enclosed is a Petition for Extension for Three Months of Time with a check for \$950.00 for the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906